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12 MAR 1979

9 March 1979

Big Help
Vince T
[Signature]

MEMORANDUM FOR: Director of Central Intelligence
 Deputy Director of Central Intelligence

FROM:

SA/DDCI

SUBJECT:

Analysis of Agency Delegation of Authority/
 Responsibility

1. Attached (Tab A) is a matrix of the current locus of decision-making responsibility and authority in this Agency. As sources I have used the responses of DDA, DDS&T, DDO, General Counsel, Inspector General, and Comptroller to your February lunch request on this subject. NFAC has not responded. DDA was completing a lengthy review of their regulations; your request accelerated the process. They have provided a 30-page listing which is incorporated in the matrix. DDO also provided a lengthy listing of internal decision-making distribution as well as some opinions on the matter. As a result, the attached matrix is a fairly complete index of Agency Regulations. However, other sources of delegation such as memorandums, decision papers, etc. are much tougher to trace and are not included. Also, the assignment of authority and responsibility to the DCI by law, Executive order, or other sources should be updated by the General Counsel. I make some suggestions later in this paper on that point.

2. The respondents (Tab B) do not agree on the nature of the issue, much less on how to address it. They propose different approaches and categories of decision making and provide a wide mix of locational, functional, and other categories of management decision to guide the analysis, as follows.

Categories of Decision to be Considered

S&T:

- (1) Operational
- (2) Programmatic
- (3) Administrative

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- DDA: (1) DDCI
(2) Directorates
(3) Independent Offices
- DDO: (1) Major financial commitment or extraordinary propriety
(2) Outside Agency
(3) Unusual sensitivity
(4) Beyond one directorate
(5) Within one directorate
- GC: (1) Legislation/Congressional/Executive Orders
(2) DCI to DDs
- Comp: (1) DCI to DDs
(2) Outside Agency
(3) DCI to all DDs
(4) DDs to each other
(5) Agency to DCI in his IC hat
- IG: Discusses internal Agency management process not delegation of authority

3. In order to get some uniformity out of the disparate material that was provided, I arbitrarily designed the attached format. In arraying and analyzing this material, I pursued three objectives:

- o In what shape is the legal aspect of assigning authority to the DCI by law, Executive order, Presidential memorandum, etc.
- o How up-to-date and complete is the internal delegation system, from the DCI to the DDCI, to the DDs and Independent Offices, primarily through the Agency Regulation system.
- o How can this material be best utilized (after being verified for accuracy) for further decision as to the appropriate levels of assignment of the various decision-making authorities.

4. Conclusions/Recommendations:

Objective 1: In 1973, the General Counsel and Deputy Director for Administration undertook a lengthy and difficult project to research authorities delegated by the Director to individuals within the Agency. They discovered some serious internal chain-of-command problems and concluded that much had to be done to straighten out the delegation of authority issue internally. However, OGC and DDA inform me that, for a number of reasons, mostly because of turnover in both offices, no action took place on the study.

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[] Executive Officer, DDA, informs me that, since then, Agency Regulations have been clarified quite a bit as a result of the various House and Senate investigations in the mid-70s. He feels they are comparatively up to date at the moment. However, the 1973 GC/DDA report has not been updated and the General Counsel should undertake that exercise. General Counsel should review all statutes, Executive orders, Presidential or NSC memorandums or any other documents issued since 1973 to assure we have a complete, accurate, and up-to-date picture of the authorities delegated to the DCI by Congress and the President. Further, they should assure that a consistent chain of command exists, and, if not, propose at a minimum a general delegation of authority to fill any existing gaps. This should be done, however, taking into account workload considerations and priorities of the General Counsel staff.

Objective 2: The attached matrix is probably the most up-to-date Agency-wide analysis available at the moment. However, I do not feel comfortable that it is complete. After your review and comment, amendment or revision as appropriate, the DDs, the General Counsel, and other Independent Offices should review the listing for accuracy and completeness. They should particularly add delegation issuances other than Regulations that might have been used in the recent past.

Objective 3: After the updating of the analysis by all major internal offices, the DCI, DDCI, and the DDs should participate in a management dialogue aimed at moving--either upward or downward--certain of the functions based on DCI/DDCI-desired objectives and management philosophy, and also filling in delegation/decision-making gaps.

Some examples of gaps that the DCI/DDCI might want added to the matrix, and then later formally to the Regulation system, may be:

- o Selection/appointment/approval of key personnel, i.e.
 - o All DDs and Independent Office Heads and
 - o All Office/Division Chiefs one layer below DDs
- o Selection of COS
 - o Major specific posts (named) -- DCI approves
 - o Other, remaining posts -- DDCI approves

Both based on DDO recommendations

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- o Opening/Closing overseas stations -- DCI approves based on DDCI/DDO recommendations
- o Expanding/Contracting overseas stations -- DCI approves based on DDO recommendations and after consultation with DCI, etc.

I. RECOMMEND, after DCI/DDCI review, that:

1. The attached matrix be sent to the DDs and Independent Offices. They should ask their staffs to review for accuracy, completeness, and updating, particularly looking for other sources of delegations (memos, decision papers, etc.); and further, suggest management decision actions that should be added or revised downward or upward. *Yes*
2. The General Counsel be charged with updating the 1973 study of DCI authorities by adding recent legislation, Executive orders, Presidential or NSC memorandums, etc. in order to assure that we have a complete and accurate listing of DCI authorities. It should then be updated regularly and continuously as new authorities are assigned or old ones deleted. The General Counsel should also identify any existing gaps in the delegation chain and suggest actions to handle the matter, including general delegations for any interim period. However, General Counsel should analyze the resources and workload involved in doing this before launching the effort. *Yes*
3. After completion of 1 and 2, the DCI/DDCI and the DDs/General Counsel should participate in a management-focused discussion to agree on the appropriate assignment of authorities to the various levels in the organization. *Yes*

It may be necessary, in order to do 1 and 2, to mount some sort of intra-Agency task force. However, I would hold off on that until we have analyzed the attached material. Rewriting and revising all Agency Regulations for delegation of decision-making purposes could turn out to be a complex and time/staff-consuming job.

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Attachments

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